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JS-6

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 DELAWARE LIFE INSURANCE
12 COMPANY,

13 Plaintiff,

14 v.

15 JAY R. SCHUSTER, an individual;
16 DAVID BRUCE McMAHAN, an
individual; MOSHE CHAMISH, an
17 individual; ZVI CHAMISH, an
individual; WILLIAM DUNN, an
18 individual; LYNN WINTER
GROSS, an individual; and DOES 1
to 10, Inclusive,

19 Defendants.
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CASE NO. 2:15-CV-01454 AB (AJWx)

HON. ANDRÉ BIROTTE JR.

[PROPOSED] JUDGMENT

21
22 Defendant David Bruce McMahan (“McMahan”), having been granted
23 summary judgment in his favor on plaintiff Delaware Life Insurance Company’s
24 (“Delaware Life”) first cause of action for interpleader and second cause of action
25 for declaratory relief as to the Delaware Life annuity purchased by defendant Jay R.
26 Schuster (the “Schuster Annuity”), and on Delaware Life’s third cause of action for
27 declaratory relief as to the Delaware Life annuity purchased by now-deceased Paul
28 Chamish, whose children, defendants Moshe Chamish and Zvi Chamish, now

1 appear in his stead (the "Chamish Annuity");

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

3 1. McMahan is entitled to the proceeds of the Schuster Annuity up to the
4 amount of \$170,850 and to the proceeds of the Chamish Annuity up to the amount
5 of \$70,900.

6 2. Delaware Life has deposited with the Court the amount of \$159,273.30
7 (\$114,683.72, after Delaware Life paid itself the \$7,000 authorized by the Court for
8 Delaware Life's attorneys' fees and costs, as the proceeds of the Schuster Annuity,
9 and the amount of \$44,589.58 as the proceeds of the Chamish Annuity).

10 3. The Clerk of Court shall disburse \$159,273.30 to McMahan from the
11 funds deposited with the Court by Delaware Life.

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15 DATED: September 28, 2016



16 HON. ANDRÉ BIROTTE JR.
17 UNITED STATES DISTRICT JUDGE
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